

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Kendrick De'Shawn Floyd

Write the full name of each plaintiff.

CV
(Include case number if one has been assigned)

-against-

Honorable Judge Mark J Nelson.

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

COMPLAINT

Do you want a jury trial?
 Yes No



NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- Federal Question
 Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

To stand for a trial at the 595 Superior Court Jersey City N.J. 07306, Perjury, and False Indictment. Also Grand Juror abuse.

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, _____, is a citizen of the State of
(Plaintiff's name)

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of
_____.

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, _____, is a citizen of the State of
(Defendant's name)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of _____.

If the defendant is a corporation:

The defendant, _____, is incorporated under the laws of
the State of _____

and has its principal place of business in the State of _____

or is incorporated under the laws of (foreign state) _____

and has its principal place of business in _____.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Kendrick D Floyd
First Name Middle Initial Last Name

111 Bidwell Ave Jersey City
Street Address

Hudson County, Jersey City N.J. 07305
County, City State Zip Code

201-667-6351
Telephone Number

FloydKendrick235@gmail.com
Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:

<u>Mark</u>	<u>Nelson</u>
First Name	Last Name
<u>Judge Court room 811,</u>	
Current Job Title (or other identifying information)	
<u>595 Newark Ave Room: 811</u>	
Current Work Address (or other address where defendant may be served)	
<u>595 Newark Ave Hudson, J.C. N.J. 07306</u>	State
County, City	Zip Code

Defendant 2:

First Name	Last Name
Current Job Title (or other identifying information)	
Current Work Address (or other address where defendant may be served)	
County, City	State
Zip Code	

Defendant 3:

First Name	Last Name
Current Job Title (or other identifying information)	
Current Work Address (or other address where defendant may be served)	
County, City	State
Zip Code	

Defendant 4:

First Name _____ Last Name _____

Current Job Title (or other identifying information) _____

Current Work Address (or other address where defendant may be served) _____

County, City _____ State _____ Zip Code _____

III. STATEMENT OF CLAIM

Place(s) of occurrence: _____

Date(s) of occurrence: _____

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

2 different case numbers Summons - Indictment sheet case number dont match the same charge and also denied of trial after 30 day Court ordered competent hearing.

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

111 Bidwell Ave
Trenton, NJ Zip: 08605

Letter Address.

SUPERIOR COURT OF NEW JERSEY
HUDSON COUNTY COURTHOUSE
JERSEY CITY, NJ 07305-0000
CRIMINAL DIVISION

DATE: 10/03/2019

CASE NO. 19002473
INDICTMENT NO. 19-10-01016-I
DATE FILED: 10/01/2019

STATE VS. KENDRICK FLOYD
CHARGES:
2C:35-10A(1)
POSS CDS/ANALOG - SCHD I IT IT IV

DEFENDANT:
KENDRICK FLOYD
757 GARFIELD AVENUE
JERSEY CITY NJ 073054321

FOR THE HONORABLE JUDGE MARK J NELSON.

INVOLUNTARY MEDICATION
ADMINISTRATION REPORT (IMAR)**Section I: (To be completed by Prescriber)**Patient Name: Floyd, Kendrick Number: 4750219 Date: 02/05/2020Diagnosis: Schizophrenia; Substance Use Disorder; Antisocial Personality Disoeder

Rationale for recommending medication without informed consent including symptoms that indicate that the patient is or would be dangerous to self, others, or property without treatment: See addendum on last page of IMAR form

32 year old AA male, readmitted to TPH on a 30day Court ordered to evaluate his mental capacity to stand trial. Although the full report is not yet available, he was found not competent to stand trial. He has a history of being noncompliant with his psychotropic medications. He minimizes his mental illness and refused to sign consent to be medicated. He has a history of aggressive and violent behaviors. He also has a history of bizarre delusions with ideas of reference and at times thoughts to harm others.

But the impetus for this request for IMAR has to do with the recent sexually inappropriate behavior that he has been engaged in on the Unit. On 2/2/20 at 11:35PM he was found in room E215 engaged in sexual intercourse with a female peer. This female peer had just completed treatment for syphilis. Today again, the Treatment Team met with patient to discuss his behavior on the Unit. Staff have reported that patient has been sexually harassing female patients on the Unit. It had been reported that he exposed himself. The Treatment Team reminded the patient about the rules regarding sexual contact with female peer. Patient became very angry and agitated stating: "I got my dick sucked last night" and described this happening multiple times on the Unit since his admission on Drake East 2. He described exchanging items with female peers for sexual favors. A female peer came to the Team to report that she feels harassed by the patient and described an incident that happened last night at 10:30PM where she felt threatened to perform sexual act on the patient. The Team considers this patient a danger to himself and others. The Team recommends sending this patient to an all male Unit when a bed becomes available. But until then the Team strongly recommends that this patient be medicated against his will.

Less Restrictive treatments or interventions considered or attempted before involuntary medication was considered:

See addendum _____

(attach copies of Treatment Team Notes as appropriate to document consideration or implementation of treatment modalities)

Informed consent of the patient was solicited by the signer on 02/05/2020 at 10:00 a.m. p.m.

Medication Fact Sheets were explained to the patient on 02/05/2020 at 10:00 a.m. p.m.

Explain attempts to gain informed consent, including dates and content of efforts by any other staff: See Addendum

Side effects of medications were discussed but patient did vehemently refused to be medicated.

Objections expressed by the patient, if any: Patient does not believe that he has a mental illness. His main focus are on his legal charges.

Does the patient have a Psychiatric Advance Directive (PAD)? Yes No If Yes, explain why the PAD was insufficient to resolve the patient's dangerousness:

Recommended psychotropic medications and co-medications for side effects:

10-20mg Tab PO BID

Haldol Conc. 10mg PO BID. If refuses give Haldol 10mg IM BID for psychosis.

Dosage range: _____ q _____

Dosage range: _____ q _____

Cogentin 2mg Tab PO BID prn for EPS

Dosage range: 2mg q 12 hrs

1

Dosage range: _____ q _____

Testing that will be required:

CBC with diff. weekly

at on 02/19/2020 and 02/26//2020

at _____

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
0906	S	2019	002122
COURT CODE	PREFIX	YEAR	SEQUENCE NO.

JERSEY CITY MUNICIPAL COURT
365 SUMMIT AVENUE
JERSEY CITY NJ 07306-0000
201-209-6700 COUNTY OF: HUDSON

of CHARGES 1 CO-DEFTS POLICE CASE #: 19-008111

COMPLAINANT MICHAEL A MARTUCCI
NAME: 365 SUMMIT AVE. #116
ATTN WARRANTS
JERSEY CITY NJ 07306

THE STATE OF NEW JERSEY

VS.

KENDRICK FLOYD

ADDRESS 111 BIDWELL AVE
JERSEY CITY NJ 07305-0000

DEFENDANT INFORMATION
SEX: M EYE COLOR: BROWN DOB: 09/08/1987
DRIVER'S LIC. #. DL STATE:
SOCIAL SECURITY #: SBI #: 307272D
TELEPHONE #: ()
LIVESCAN PCN #: 090608003111

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 04/14/2019 in JERSEY CITY, HUDSON County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, KENDRICK FLOYD DID KNOWINGLY AND PURPOSELY POSSESS A CONTROLLED DANGEROUS SUBSTANCE SPECIFICALLY BY HAVING IN HIS POSSESSION ONE (1) CLEAR VIAL WITH BLUE TOP CONTAINING SUSPECTED CDS COCAINE IN VIOLATION N.J.S.A. 2C:35-10A(1).

in violation of:

Original Charge	1) 2C:35-10A(1)	2)	3)
Amended Charge			

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed:

MICHAEL A MARTUCCI

Date: 04/14/2019

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: HUDSON

at the following address: HUDSON COUNTY COURT

ADMINISTRATION BUILDING 595 NEWARK AVENUE JERSEY CITY NJ 07306-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: 04/14/2019 Appearance Date: 04/30/2019 Time: 01:30PM Phone: 201-795-6000

Signature of Person Issuing Summons:

MICHAEL A MARTUCCI

Date: 04/14/2019

Domestic Violence - Confidential

Related Traffic Tickets or Other Complaints

Serious Personal Injury/ Death Involved

Special conditions of release:

- No phone, mail or other personal contact w/victim
- No possession firearms/weapons
- Other (specify):

ORIGINAL

File # 19-00811 - Investigation Report (Jersey City Police Department)

Jersey City Police Department

P.O. M. Saheed recovered \$83 dollars from his right front pant pocket in various denominations which were seized as suspected CDS proceeds. P.O. J. Faccone recovered (5) glass vials with blue tops containing suspected CDS Cocaine tossed by Derrick Pelzer from the vacant lot located 111 MLK Dr. Sergeant Dowell recovered (20) glassine bags stamped "Passion in red ink containing suspected CDS Heroin and (1) brown hand rolled cigar containing green vegetation of suspected CDS Marijuana from MLK Drive and Armstrong which were tossed by Derrick Pelzer at the start of the foot pursuit.

P.O. M. Martucci remained at MLK Drive and Armstrong Ave with Jamal Coar and John Clay. P.O. M. Martucci observed Jamal Coar trying to reach his left pant pocket several times. He was told to remove his hands out of his pockets and when he did Sergeant Dowell observed multiple vials containing CDS cocaine in his clenched left hand. Sergeant Dowell recovered (3) glass vials with black top and (2) glass vials with purple tops containing suspected CDS Cocaine. Jamal Coar was placed under arrest without incident. Search incident to arrest Sergeant Dowell recovered \$150 dollars from right front pant pocket which were seized as suspected CDS sales proceeds. John Clay was also patted down for weapons he spontaneously uttered "I only have one bag for personal use". Mr. Clay was placed under arrest and recovered was (1) glassine bag stamped "passion" in red ink containing suspected CDS Heroin. John Clay was transported by South patrol unit S202 P.O. A. Soler. P.O. A. Soler checked the back seat of the vehicle before transporting John Clay. Upon arrival to the Street Crime base and while P.O. A. Soler was removing John Clay from his patrol vehicle he observed and recovered (12) glassine bags stamped "Passion" in red ink containing suspected CDS Heroin. He spontaneously uttered again "that's for my personal use".

All CDS was placed into evidence bag #PM0018183 and marked accordingly.

Derrick Pelzer, Jamal Coar and John Clay were within 1000 feet of P.S. #34 located at 1830 JFK Blvd.

Derrick Pelzer, Jamal Coar and John Clay were within 500 feet of Veneter Watson Park located at Stevens Ave and MLK Drive.

Asst Prosecutor Stephanie Elson was notified and informed of the arrests, and approved putting Kendrick Floyd and Patricia Grooms on a summons.

REPORTING PARTY/COMPLAINANT-1

REPORTING PARTY/COMPLAINANT-1 (ORGANIZATION)

R-1 JCPD

ORGANIZATION TYPE

Government

OFFENSE-1

OFFENSE CODE

2C:35-10.a(1) | Possession of CDS

OFFENSE START DATE	OFFENSE COMPLETION	SUSPECTED HATE CRIME
Apr 14, 2019 11:07	<input checked="" type="checkbox"/> COMPLETED <input type="checkbox"/> ATTEMPTED	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

CRIMINAL ACTIVITIES / ANIMAL CRUELTY

Possession/ Conceal/ Distribute/ Selling

MODUS OPERANDI

Solicited/Offered - Drugs

OFFENSE LOCATION

CITY	STATE	ZIP	COUNTRY CODE
JERSEY CITY	NJ	07305	US

INTERSECTION STREET 1

MARTIN LUTHER KING DR

INTERSECTION STREET 2

ARMSTRONG AVE

LOCATION CATEGORY	DISTRICT	PUBLIC / PRIVATE
Street	South	Public

VICTIMS-1

VICTIMS-1 NAME

V-1 STATE OF NJ

ORGANIZATION TYPE	ORGANIZATION INDUSTRY
Government	Law Enforcement

REPORTING OFFICER SIGNATURE / DATE

JEISON MARTINEZ #3024 Apr 14, 2019 18:58 (e-signature)

PRINT NAME

JEISON MARTINEZ #3024

SUPERVISOR SIGNATURE / DATE

DWAYNE DOWELL #8254 Apr 14, 2019 19:02 (e-signature)

PRINT NAME

DWAYNE DOWELL #8254